

EXECUTIVE SECRETARIAT ROUTING SLIP

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Remarks

Executive Secretary

2/23/84

Date

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United States Department of State



Washington, D.C. 20520

February 22, 1984

Executive Registry

84- 734

Senior Interagency Group No. 3

TO : NSC - Mr. Robert Kimmitt
CIA - [redacted]
Commerce - Mrs. Helen Robbins
DOD - COL John Stanford
FCC - Ms. Janice Obuchowski
Justice - Mr. Roger Clegg
NASA - Mr. Kenneth Pedersen
NSA - [redacted]
OMB - Mr. Alton Keel
OPD - Mr. Michael Uhlmann
OSTP - Dr. George Keyworth
USIA - Ms. Teresa Collins
USTR - Mr. Dennis Whitfield

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SUBJECT: SIG Meeting Summary of Conclusions

Attached is the Summary of Conclusions for the SIG Meeting on International Communications and Information Policy held on January 18, 1984.

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for Charles Hill
Executive Secretary

Attachments:

1. Summary of Conclusions, January 18 Meeting



B-223B



Washington, D.C. 20520

February 17, 1984

Senior Interagency Group No. 3

PARTICIPANTS: SIG Participants

DATE AND TIME: January 18, 1984, 10:00 a.m.

PLACE: Room 7219, Department of State

SUBJECT: SIG Meeting on International Communications and
Information Policy, January 18, 1984

SUMMARY OF CONCLUSIONS

Under Secretary Schneider convened the SIG for the purpose of reviewing the Report and Recommendations of the SIG Working Group on International Satellite Policy.

The SIG review, which commenced in April 1983, was prompted by the applications of Orion Satellite Corporation and International Satellite, Inc., to the FCC to establish international satellite systems separate from INTELSAT serving the North Atlantic region. The SIG undertook the review to determine whether, or under what conditions, approval of these, or similar applications would be consistent with prevailing law, practice, and international treaty obligations, and whether, or under what conditions, approval of these or similar applications would be consistent with sound foreign policy and would be required in the national interest.

Ambassador Dougan briefly outlined the study process of the SIG Working Group and the thrust of the findings and recommendations. She highlighted the fact that the Working Group recommendations focused on INTELSAT and the proposed introduction of competitive forces, not as abstract concepts, but rather in the context of how they specifically served U.S. interests and policy objectives. She added that the proposed recommendations were consistent with current domestic law, policies and treaty provisions. Essentially, the Working Group concluded, that under certain specified conditions, new international satellite systems could be authorized which would be deemed "required in the national interest" while maintaining our strong commitment to INTELSAT's abilities to provide "a single global satellite system". She pointed out that the recommendations also served to help rectify the confusion over the term "single global system" which, in the language of the INTELSAT Agreement itself, was not

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exclusionary of other systems. Further the recommendations and findings served to underscore the fact that there are privileges as well as obligations provided for in the INTELSAT agreement and that flexibility was also provided for in the Communications Satellite Act of 1972.

Kenneth Leeson of the Coordinator's Office then summarized the specific conditions of the recommendations and the companion legal determinations related to the requirement of Article XIV (d) coordination for both proposals presented. (Details of the recommendations are contained in the Working Group Report previously circulated to the SIG.)

Under Secretary Schneider then called on the Vice Chairmen and other SIG Principals to add their comments. Assistant Secretary of Commerce, David Markey, stated that his Department concurred with the Working Group study and recommendations and found them compatible with the views and work of NTIA.

Mr. Lenkowski, Deputy Director of USIA, added that his Agency also endorsed the report and pointed out that they were pleased that SIG attention was being given to providing ways to meet the needs of the future - an issue of particular concern to USIA because the Agency will be an important user of satellite services.

Mr. Feketekuty of USTR suggested that in subsequent action on the issue, a clear message be sent to INTELSAT that, should coordination under the terms of the Agreement be sought, a good-faith effort at coordination should be expected by all involved. He further suggested that some mention be made of the importance of the FCC proceeding expeditiously with its consideration of the direct access to INTELSAT space segment and earth station ownership. It was noted that these latter two issues are treated in NTIA's paper.

Other members of the SIG added their commendation for the Working Group for its diligent efforts and for the high quality of its product. It was noted that the SIG had been particularly successful in its consultative and coordination efforts. Mr. Uhlmann, of the White House Office of Policy Development, asked that the record show that the SIG Working Group study process took thoughtful account of all factors involved. The views and positions of all interested parties and agencies had been thoroughly and effectively incorporated in the SIG process. Others noted this was a unanimous view.

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Under Secretary Schneider noted that, notwithstanding the obvious unanimity of the SIG in endorsing the report, under the terms of the 1962 Satellite Act, this issue uniquely required the President to make a determination of the "national interest". The next step in this process requires action by the Secretaries of Commerce and State under the provisions of Executive Order 12046. The SIG's findings will be formally incorporated in the recommendations of the Secretaries of Commerce and State to the President.